



Attorney File Ref: 102792-214 / 11363P3 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tak Wai CHEUNG et al.
Serial No.: 10/595836
Filing Date: 15.May.2006
Examiner: to be assigned
Art Group: 1636
Title: CLEANING COMPOSITIONS

11 December 2006

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ADMIT OATH & DECLARATION PURUSANT TO

37 CFR 1.47(a), 35 USC 118

(JOINT INVENTOR -- INVENTOR UNAVAILABLE - 'CANNOT BE REACHED')

The applicant encloses copies of the following documents for consideration by the Office:

- (a) Copy of a *Combined Oath, Declaration and Power of Attorney* executed by co-inventor Tak Wai CHEUNG with respect to the instant application;
- (b) Copy of a *Combined Oath, Declaration and Power of Attorney* executed by co-inventor Anthony MCLELLAN with respect to the instant application;

- (c) Copy of a letter dated 19 October, 2006 addressed to Mr. Andrew COURTNEY, of Oak Ridge, New Jersey transmitting copies of the above identified design patent application as well as copies of a *Combined Oath, Declaration and Power of Attorney* and an *Assignment* for his review and signature.
- (d) Copy of Federal Express tracking report, indicating receipt of the aforesaid letter at the last known residence address of co-inventor Andrew COURTNEY on 20.Oct.2006

The undersigned respectfully requests recognition of the satisfaction of the requirements for filing of an application in the USPTO pursuant to 37 CFR 1.47(a), 35 USC 118, notwithstanding the non-cooperation of the named joint inventor, Andrew COURTNEY, to sign the *Combined Oath, Declaration and Power of Attorney* in the application, and permit the successor in interest, Reckitt Benckiser Inc., the continue prosecution of the application in his stead.

In view of the foregoing facts that are believed to clearly establish that the documents requiring signature by co-inventor Andrew COURTNEY were received at his last known residence address and that co-inventor Andrew COURTNEY has had ample opportunity to review these aforesaid documents and to sign the same and enter into the application.

The applicant, Reckitt Benckiser Inc., prays that this petition be granted to avoid irreparable damage, e.g., loss of rights to its patent application as well as potential loss of its rights to any patents which may issue therefrom as they are the inventors' successor in interest.

The applicant also prays that the copies of the *Combined Oath, Declaration and Power of Attorney* documents submitted as documents (a) – (d) be entered into the file wrapper of the application.

Although the undersigned has not yet received a *Notice to File Missing Parts* of application, the undersigned asks that the documents (a) and (b) be entered into the file wrapper.

Favorable consideration of this petition and return to the normal course of prosecution is respectfully requested. It is respectfully requested that the *Combined Oath, Declaration and Power of Attorney* be admitted pursuant to 37 CFR 1.47(b) wherein the inventor relating to this U.S. patent application cannot be reached. It is further respectfully requested that all claims to priority rights be recognized.

Authorization to Charge USPTO Deposit Account

The Commissioner is authorized to debit any necessary fees which may be required to ensure consideration entry of this paper, and any of the enclosures thereto, to USPTO Deposit Account 14-1263 in the name of Norris McLaughlin & Marcus, PA.

Should the Office believe that telephonic communication would advance the prosecution of the instant application, or should there be any question concerning this paper, the Office is invited to telephone the undersigned at the number given below.

Respectfully submitted,

Andrew N. Parfomak

Andrew N. Parfomak

Reg. No. 32,431

Norris, McLaughlin & Marcus, PA

875 Third Avenue, 18th Floor

New York, NY 10022

Tel: (212) 808-0700

Date: 11 Dec 2006

Enclosures – as indicated

CERTIFICATE OF MAILING

I hereby certify that this paper and all papers stated as being attached herewith are being deposited with the United States Postal Service as USPS First Class Mail in an envelope addressed to Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: (Kimberly Brittingham) Date: 12/11/06
Kimberly Brittingham

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NO. 115 MC LAUGHLIN & MARSH, PA

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MERITAS LAW FIRMS WORLDWIDE

VIA FEDERAL EXPRESS – SIGNATURE REQUIRED

October 19, 2006

Dr. Andrew Courtney
20 Crest Lake Drive
Oak Ridge, New Jersey 07438

RE: U.S. Patent Application No. 10/474,441
Cleaning Compositions
Our Ref.: 102792-214
Reckitt Benckiser Ref.: 11363P3 US

Dear Andrew:

Greetings! I hope that this letter finds you well. It's been some time since we've been in touch, and I hope things are working out for you.

I have lately been contacted by Reckitt Benckiser to assist in obtaining your signature on several of the enclosed documents. By way of enclosure, please find a copy of the above U.S. patent application identified in this letter of which you are a named co-inventor, as well as a copy of a Combined Oath, Declaration and Power of Attorney, and U.S. Assignment. I would be very much obliged if you could review the attached documents, sign the latter two documents at the place indicated in permanent, non-black ink, and return these documents to me in the enclosed courier envelope. As you know, a condition of your employment at Reckitt Benckiser was the transfer of rights to intellectual property to Reckitt Benckiser, and cooperation in the execution of necessary papers, e.g., the enclosed documents.

I understand the enclosed documents had been previously sent to you directly from Reckitt Benckiser – Group Patents Department in Hull, U.K. They have informed me however that they have, to date, received no response from you although these were sent on several occasions.

As a personal favor Andrew, if you choose not to cooperate and sign the enclosed documents, could I at least ask you to sign and return the attached letter to me in the enclosed courier envelope? It would be very helpful so that I can take the necessary next steps before the U.S. Patent and Trademark Office.

I hope the above is not too inconvenient.

As always, if you have any questions, never hesitate to give me a call at (212) 808-0700, or e-mail aparfomak@nnmlaw.com. I very much enjoyed working with you for quite a number of years, and frankly, while I will say that with the departure of further persons from the Montvale Technical Center, the place does seem a little bit more forlorn and lonely than it did in the late 1990s!

Very truly yours,



Andrew N. Parfomak

ANP/kb

Enclosures – as indicated

Dr. Andrew Courtney
20 Crest lake Drive
Oak Ridge, New Jersey 07438

Andrew Parfomak
Norris McLaughlin & Marcus, PA
875 Third Avenue
18th Floor
New York, NY 10022

RE: U.S. Patent Application No. 10/474,441
Cleaning Compositions
NM&M Ref.: 102792-214
Reckitt Benckiser Ref.: 11363P3 US

Dear Andrew:

I acknowledge receipt of your letter of October 19, 2006 and the enclosed documents, including the patent application, the U.S. Assignment, and the Combined Oath, Declaration and Power of Attorney. I understand that I am a named co-inventor in the above-identified application.

However, I choose not to sign these documents.

Very truly yours,

By: _____
Andrew Courtney

Date: _____



FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

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Memphis, TN 38194-4643
Telephone: 901-369-3600

October 26, 2006

Dear Customer:

The following is the proof of delivery you requested with the tracking number **799522903647**.

Delivery Information:

Status:	Delivered	Delivery date:	Oct 20, 2006 14:39
Signed for by:	A.COURTNEY		
Service type:	Standard Envelope		



Shipping Information:

Tracking number:	799522903647	Ship date:	Oct 19, 2006
		Weight:	2.0 lbs.

Recipient:
Oak Ridge, NJ US

Shipper:
NEW YORK, NY US

Reference 102792-210

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